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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,688	03/16/2004	Keiichi Fukuda	H1658.0010/P010	2087
24998 7590 10/22/2007 DICKSTEIN SHAPIRO LLP 1825 EYE STREET NW Washington, DC 20006-5403			EXAMINER BAYOU, YONAS A	
			ART UNIT 2134	PAPER NUMBER
			MAIL DATE 10/22/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/800,688		FUKUDA, KEIICHI	
	<b>Examiner</b>		<b>Art Unit</b>	
	Yonas Bayou		2134	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08/29/2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This office action is in response to applicant's response filed on 08/29/2007.
2. Claims 1-19 are pending.
3. Applicant's arguments have been fully considered but they are not persuasive.

### **Response to Arguments**

1. Applicant, on page 10, lines 15-18, of the remarks, argues " in the contents of claims 1, 7 and 15, a key information selection part which generates plurality of key information for encryption and selects a key information among a plurality of the key information."

Examiner respectfully disagrees and asserts that Ishiguro discloses that a DVD player serves as a transmitter. Service key used for generating license key, which is used for encryption [column 12, line 64 – column 13, line 3].

2. Applicant, on page 11, lines 14-21, of the remarks, argues "in the contents of claim 13, a key information extraction part which extracts the key information used in the encryption of the contents data based on the selection information among a plurality of the key information stored in the key information storage part."

Examiner respectfully disagrees and asserts that Ishiguro discloses that generates/extracts a source side common session key sk that will be used as a common session key s by the DVD player 1 to encrypt a clear text to be transmitted [column 7, lines 38-44 and fig. 4].

3. Examiner, however, in light of the above submission maintains the previous rejections as follows:

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishiguro et al. US Patent No 6,697,945 (hereinafter Ishiguro).

Referring to claims 1, 7, 13, 15 and 18, Ishiguro teaches a contents data transmission/reception system comprising a contents data transmitter for transmitting contents data and a contents data receiver for receiving the contents data,

wherein the contents data transmitter includes:

a key information selection part which generates plurality of key information for encryption and selects a key information among a plurality of the key information

**[column 12, line 64 – column 13, line 3; DVD player serves as a transmitter. Service key used for generating license key which is used for encryption];**

a contents encryption part which encrypts an inputted contents data by using the key information selected by the key information selection part; and **[column 7, lines 41-45]**

a transmitter transmission/reception part which transmits a plurality of the key information, and then the encrypted contents data and a selection information regarding the key information used in the encryption of the contents data to be transmitted, and **[column 7, lines 41-45; column 12, line 64 – column 13, line 3]**

the contents data receiver includes:

a receiver transmission/reception part which receives a plurality of the key information, the encrypted contents data and the selection information from the contents data transmitter through a plurality of signal routes **[column 32, lines 54-62 teaches about receiving a plurality of the key information which corresponds to session key sk and the encrypted contents data which corresponds to encrypted session key e ; column 33, lines 13-16 teaches about the plurality of signal routes/serial bus; ;**

a key information storage part which stores a plurality of the received key information **[column 6, lines 45-48];**

a key information extraction part which extracts the key information used in the encryption of the contents data based on the selection information among a plurality of the key information stored in the key information storage part **[column 12, lines 40-53]**;

a contents decryption part which decrypts the encrypted contents data by using the key information extracted by the key information extraction part **[column 12, lines 40-44]**; and

an output part which outputs the contents data decrypted by the contents decryption part **[column 35, lines 12-20]**.

Referring to claims 2, 8 and 16, Ishiguro teaches a contents data transmission/reception system, wherein the contents data transmitter further includes a reproducing part which reproduces a contents data to input to the contents encryption part **[column 9, lines 7-12]**.

Referring to claims 3, 9 and 17, Ishiguro teaches a contents data transmission/reception system, wherein

the contents data transmitter includes a transmission ID storage part which stores a plurality of transmission ID information assigned to respective contents data receivers **[column 7, lines 29-35]**,

the contents data receiver includes a reception ID storage part which stores a receiver ID information assigned to the contents data receiver **[column 6, lines 44-48]**,

the contents data transmitter selects one of the transmission ID information stored in the transmission ID storage part to transmit to the contents data receiver **[column 7, lines 9-13; column 7, lines 29-35 and fig. 4],**

the contents data receiver transmits, when the received transmission ID information is coincident with the receiver ID information stored in the reception ID storage, a confirmation information indicating the coincidence to the contents data transmitter, and **[column 6, lines 10-21; the same ID transmitted/received through signal routes if the sink (receiver) is valid inherently coincide];**

the contents data transmitter transmits, when received the confirmation information from the contents data receiver, the key information, the encrypted contents data and the selection information to the contents data receiver **[column 41, lines 10-15; the sink (receiver) must be valid because the sink has the key/ID used for encryption purpose].**

Referring to claims 4 and 10, Ishiguro teaches a contents data transmission/reception system, wherein the transmission ID information is transmitted through a plurality of signal route **[column 7, lines 9-13 and column 12, lines 64-67** teaches plurality of IDs needs to be transmitted through a plurality of signal route/1394 serial bus 11].

Referring to claims 5, 11 and 19, Ishiguro teaches a contents data transmission/reception system, wherein

contents data is inputted continuously, and

the key information selection part selects one among a plurality of the key information at a predetermined time interval **[column 24, lines 16-20; a receiver is changing/selecting the key/license key at a predetermined time interval which inherently input the data continuously]**.

Referring to claims 6 and 12, Ishiguro teaches a contents data transmission/reception system, wherein

the contents data transmitter transmits data divided in a plurality of data rows respectively through a plurality of the signal routes to the contents data receiver, and

the data row includes data areas for the encrypted contents data and the selection information **[column 17, lines 40-46; column 17, lines 62-65 and fig. 12; the data area has a length in the range 8 to 32 bits whereas the adder 86 is 32 bits in width]**

Referring to claim 14, Ishiguro teaches a contents data receiver receiving contents data from a contents data transmitter, wherein

the contents data receiver includes a reception ID storage part which stores a receiver ID information assigned to the contents data receiver **[column 6, lines 44-48]**, the contents data receiver receives one of transmission ID information assigned to respective contents data receivers from the contents data transmitter **[column 7, lines 9-13]**,



the contents data receiver transmits, when the received transmission ID information is coincident with the receiver ID information stored in the reception ID storage, a confirmation information indicating the coincidence to the contents data transmitter [column 6, lines 10-21; the same ID transmitted/received through signal routes if the sink (receiver) is valid], and

the contents data receiver receives from the contents data transmitter received the confirmation information from the contents data receiver, the key information, the encrypted contents data and the selection information to the contents data receiver [column 41, lines 10-15; the sink (receiver) must be valid because the sink has the key/ID used for encryption purpose].

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonas Bayou whose telephone number is 571-272-7610. The examiner can normally be reached on m-f, 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2134

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yonas Bayou

YB

  
KAMBIZ ZAND  
SUPERVISORY PATENT EXAMINER